

**AMENDMENTS TO THE CLAIMS**

1. **(Currently amended)** A probe comprising a nucleic acid carrying a labeling substance that releases energy and an intercalator or an energy absorbing substance which is capable of specifically binding to specifically binds to a double-stranded nucleic acid, wherein the intercalator or the energy absorbing substance is capable of absorbing the energy released from the labeling substance, wherein the intercalator or the energy-absorbing substance specifically interacts with binds the double-stranded nucleic acid due to by the hybridization of the probe with a target nucleic acid thereby resulting in no quenching of the labeling substance wherein energy transfer from the labeling substance to the intercalator or the energy-absorbing substance is intercepted.
2. **(Original)** The probe according to claim 1, wherein the energy is photo energy.
3. **(Previously presented)** The probe according to claim 1, wherein the labeling substance is selected from the group consisting of a fluorescent substance, a delayed fluorescent substance, and a chemiluminescent substance.
4. **(Canceled)**
5. **(Previously presented)** The probe according to claim 1, wherein the intercalator is selected from the group consisting of acridine, anthracene, pyrene, and derivatives thereof.
6. **(Previously presented)** The probe according to claim 1, wherein the labeling substance is fluorescein, and the energy-absorbing substance is selected from the group consisting of pyrene, coumarin, and acridine.

**7. (Previously presented)** A solid phase carrier for detecting a nucleic acid, on which the probe of claim 1 is immobilized.

**8. (Previously presented)** A method for detecting a nucleic acid comprising the steps of contacting the probe of claim 1 with a nucleic acid sample and then measuring energy released from the labeling substance.

**9. (Original)** The method according to claim 8, wherein the presence of the energy released from the labeling substance indicates the hybridization of the probe with the target nucleic acid.